

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARRETT BURTON SASHINGER,	)	No. C 10-01351 JW (PR)
	)	
Plaintiff,	)	ORDER OF DISMISSAL
	)	
vs.	)	
	)	
NORTH COUNTY JAIL,	)	
	)	
Defendant.	)	

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On March 30, 2010, plaintiff filed this pro se civil rights pursuant to 42 U.S.C. § 1983, against the North County Jail in Oakland, California. On August 4, 2010, in the interest of justice, the Court granted plaintiff an extension of time to file a complete in forma pauperis application, with the necessary supporting documents, within thirty days from the date of the order.<sup>1</sup> (See Docket No. 5.) To that end, the Court requested the financial office of the North County Jail, the place of plaintiff's current confinement, to assist plaintiff in filing a complete in forma pauperis application in a timely manner. Plaintiff was advised that failure to respond in accordance with this order in the time provided may result in dismissal of this case without prejudice for failure to pay the filing

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<sup>1</sup> Plaintiff had previously filed two separate in forma pauperis applications, which were both deficient. (See Docket No. 5.)

1 fee without further notice to plaintiff.


2 A stamped copy of the Court's August 4, 2010 Order mailed to plaintiff was  
3 returned as undeliverable on August 19, 2010, indicating that plaintiff was no longer in  
4 custody. (See Docket No. 6.) As of the date of this order, plaintiff has not filed a notice  
5 of change of address or submitted any further pleadings in this case.

6 Pursuant to Northern District Local Rule 3-11 a party proceeding pro se must  
7 promptly file a notice of change of address while an action is pending. See L.R. 3-11(a).  
8 The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro  
9 se party by the Court has been returned to the Court as not deliverable, and (2) the Court  
10 fails to receive within sixty days of this return a written communication from the pro se  
11 party indicating a current address. See L.R. 3-11(b).

12 More than sixty days have passed since the mail addressed to plaintiff was  
13 returned as undeliverable. The Court has not received a notice from plaintiff of a new  
14 address. Accordingly, the instant civil rights action is DISMISSED without prejudice  
15 pursuant to Rule 3-11 of the Northern District Local Rules.

16 The clerk shall terminate any pending motions.

17  
18 DATED: March 16, 2011

  
JAMES WARE  
United States District Chief Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

GARRETT SASHINGER,  
Plaintiff,

Case Number: CV10-01351 JW

**CERTIFICATE OF SERVICE**

v.

NORTH COUNTY JAIL,  
Defendant.

\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 3/18/2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Garrett Burton Sashinger #127  
The Glen E. Dyer Detention Facility  
550 - 6th Street  
Oakland, CA 94607

Dated: 3/18/2011

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk